

Serial No. **09/998,412**

Docket No. **K-0345**

Amdt. dated January 9, 2007

Reply to Office Action of August 11, 2006

REMARKS

By the present response, Applicants have submitted new claims 68-70 for consideration by the Examiner and assert that these claims do not contain any prohibited new matter. Further, Applicants have canceled claim 11 without disclaimer and amended claim 1 and 10 to further clarify the invention. Claims 1-5, 10, 12 and 68-70 remain pending in this application. Reconsideration and withdrawal of the outstanding rejections and allowance of the present application are respectfully requested in view of the above amendments and the following remarks.

Claim 10 has been rejected under 35 U.S.C. § 102(b) as being anticipated by U.S. Patent No. 6,324,522 (Peterson et al.). Claims 1-5 have been rejected under 35 U.S.C. § 103(a) as being unpatentable over Peterson et al. in view of U.S. Patent No. 6,085,171 (Leonard et al.). Claims 11 and 12 have been rejected under 35 U.S.C. § 103(a) as being unpatentable over Peterson et al. in view of U.S. Patent No. 5,963,915 (Kirsch).

35 U.S.C. § 102 Rejections

Claim 10 has been rejected under 35 .S.C. § 102(b) as being anticipated by Peterson et al. Applicants have discussed the deficiencies of this reference in Applicants' previously filed response and reassert all arguments submitted in that response. Applicants respectfully traverse this rejection and provide the following additional remarks.

The Examiner admits that Peterson et al. does not disclose or suggest an order control set-up server coupled to the database server and web server, as recited in the claims of the present application, but asserts that Kirsch discloses these limitations at col. 5, lines 22-27. However, these portions merely disclose that additional levels of authentication and security can be added such as restrictions on shipping destination. This is not an order control set-up server configured to restrict prescribed orders for each of the dealing companies in accordance with the information about the products registered in the database server and information about the respective dealing companies, as recited in the claims of the present application. The mere disclosure of restrictions on shipping destination does not disclose or suggest these limitations in the claims of the present application. Further, these portions in Kirsch appear to merely relate to a ship-to address being checked to verify that the address corresponds to the client users credit card billing address and if not, additional authentication requiring a PIN is necessary (see, col. 14 lines 54-61).

Accordingly, Applicants submit that none of the cited references, taken alone or in any proper combination, disclose suggest or render obvious the limitations in the combination of claim 10 of the present application. Applicants respectfully request that this rejection be withdrawn and that this claim be allowed.

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35 U.S.C. § 103 Rejections

Claims 1-5 have been rejected under 35 U.S.C. § 103(a) as being unpatentable over Peterson et al. in view of Leonard et al. Applicants have discussed the deficiencies of these references in Applicants' previously filed response and reassert all arguments submitted in that response. Applicants respectfully traverse these rejections and provide the following additional remarks.

Regarding claim 1, the Examiner admits that Peterson et al. does not disclose or suggest a database server configured to store information relating to product order errors, but asserts that Leonard et al. discloses these limitations. However, as was noted in Applicants' previously filed response, Leonard relates to an order entry system for changing a communication service. Leonard is solely directed to allowing a customer to request a change to a communication service. This is not an order control server configured to gather information about tangible products ordered through a web server and respective product order error items stored in the database server, as recited in the claims of the present application. Leonard et al. relates to ordering a service. This is not a tangible product as recited in the claims of the present application.

Regarding claims 2-5 and 12, Applicants submit that these claims are dependent on one of independent claims 1 and 10 and, therefore, are patentable at least for the same reasons noted previously regarding these independent claims.

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Accordingly, Applicants submit that none of the cited references, taken alone or in any proper combination, disclose suggest or render obvious the limitations in the combination of each of claims 1-5 and 12 of the present application. Applicants respectfully request that these rejections be withdrawn and that these claims be allowed.

New Claims

Applicants have submitted new claims 68-70 for consideration by the Examiner and assert that these claims are patentable over the cited references, taken alone or in any proper combination, for reasons similar to those recited previously regarding claims 1 and 10. Applicants respectfully request that these claims be examined and allowed.

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CONCLUSION

In view of the foregoing amendments and remarks, Applicants submit that claims 1-5, 10, 12 and 68-70 are now in condition for allowance. Accordingly, early allowance of such claims is respectfully requested. If the Examiner believes that any additional changes would place the application in better condition for allowance, the Examiner is invited to contact the undersigned attorney, Frederick D. Bailey, at the telephone number listed below.

To the extent necessary, a petition for an extension of time under 37 C.F.R. 1.136 is hereby made. Please charge any shortage in fees due in connection with the filing of this, concurrent and future replies, including extension of time fees, to Deposit Account 16-0607 and please credit any excess fees to such deposit account.

Respectfully submitted,
FLESHNER & KIM, LLP



John C. Eisenhart
Registration No. 38,128
Frederick D. Bailey
Registration No. 42,282

P.O. Box 221200
Chantilly, Virginia 20153-1200
(703) 766-3701 JCE/FDB:tlg

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Please direct all correspondence to Customer Number 34610